Land Assignment

Assignment of certain lands in Maddilingathahalli village.

* 70 *Q*.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

(*a*) whether Kuruba Mukanna has been occupying and enjoying about an acre of land in S. No. 86-A of Maddilingathahalli, Alur taluk, Bellary district, for about the last 25 years;

(*b*) whether before his occupation it was overgrown with prickly-pear and much money and labour was spent on its reclamation;

(*c*) whether about 1924 or 1925, the District Labour Officer got him to agree to its assignment to a member of the depressed classes;

(*d*) whether the said consent was voluntary on the part of Mukanna and if so, what the consideration was for which he agreed to part with a land on the reclamation of which he had spent time, money and labour;

(*e*) whether subsequently the Tahsildar ordered, for any reason, that the piece of land should not be entered upon by any of the depressed classes;

(*f*) whether Mukanna wanted the land for himself on patta and whether his application was rejected;

(*g*) whether the whole or part of S. No. 86-A is included in the list of lands reserved for depressed classes; and

(*h*) if so, when that list was first prepared, and whether at that time any attempt was made to exclude from it lands in the occupation of sivajama cultivators for more than three years and if not, whether such lands have been excluded since?

A.—(*a*) to (*h*) The Government have not the information asked for, but have called for a report.

Representations regarding the treatment of Catholic Churches in South Kanara.

* 71 *Q*.—Mr. J. A. SALDANHA: With reference to my questions Nos. 353 and 1778 answered on 8th October 1928 and 19th March 1929 respectively, will the hon. the Member for Revenue be pleased—

(i) to place before the Council a statement of all the representations received from various ecclesiastical authorities, missionaries, parish-priests, church boards or other bodies as to the grievances based on the alleged treatment of Catholic churches in South Kanara as if they were alien bodies and subjected to the disabilities of aliens to acquire lands in British India without sanction of Government and the orders passed thereon and the grounds therefor, and

(ii) to state

(*a*) why Government have not considered it necessary to take legal opinion on the point whether the properties in the possession of any of the churches mentioned in clause (*b*) of question No. 353 above mentioned are vested in His Holiness the Pope as owner or supreme administrator or in the churches in question as owners and administrators with reference to any of the representations received by Government; and

(*b*) if so, what view Government have taken on the question?

A.—(i) A statement is annexed.[a]

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[a] Printed as Appendix VI on page 241 infra.

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(ii) (*a*) & (*b*) The Government have been advised by their legal advisers that properties attached to Roman Catholic churches in India are vested in the Pope. Assignments of lands made in favour of Roman Catholic churches in India are in effect, therefore, assignments made in favour of the Pope. The Government consider that whether the Pope is regarded as the owner or as the supreme administrator of the lands assigned, there would be no justification for any change in the rule which requiries the sanction of Government for the assignment of lands to Roman Catholic Missions, and that therefore it is unnecessary to take legal opinion on the point raised by the hon. Member.

Land Revenue

Assignment of certain lands in Kirimanjeshwar village.

* 72 Q.—Mr. K. R. Karant : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether in the village of Kirimanjeshwar in the Coondapoor taluk of South Kanara any rule is in force to the effect that no land within two chains from the high water mark of the sea should be assigned ;

(*b*) how long this rule has been in force ;

(*c*) whether in virtue of this rule portions of warg lands wrongly left out at the last survey are being treated as encroachments by the Revenue Department and ordered to be removed ; and

(*d*) what steps Government propose to take to see that in the case of such mistakes in survey the ryots are not unnecessarily harassed ?

A.—(*a*), (*b*), (*c*) & (*d*) The Government are not aware of the existence of uch a rule. A report has been called for.

Levy of subdivision fees for separating joint pattas in South Kanara.

* 73 Q.—Mr. K. R. Karant : Will the hon. the Member for Revenue be pleased to state—

(*a*) whether in the case of separating joint pattas a subdivision fee of Rs. 2 is levied from each party concerned ; and

(*b*) whether the fee being exorbitant, there are a large number of joint pattas in South Kanara the parties being unwilling to pay the fee ?

A.—(*a*) The total amount collected altogether from all the parties concerned is Rs. 2 for each newly formed subdivision, calculated according to the following formula :—

"If a field is divided into a certain number of subdivisions, this number minus one will represent the number of *newly formed subdivisions*. Fees should be collected at Rs. 2 for each new subdivision in which the applicant is interested provided that when the applicants are interested in all the subdivisions formed, any one subdivision may be treated as not new."

(*b*) From such figures as the Government possess it does not appear that the fact is as suggested by the hon. Member.